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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Applicant: Walker	)	Art Unit: 3763
	)	
Serial No.: 09/939,239	)	Examiner: Desanto
	)	
Filed: August 24, 2001	)	001/017 (1-3) USA
	)	
	)	September 8, 2008
	)	750 B STREET, Suite 3120
	)	San Diego, CA 92101
	)	

COMMUNICATION REGARDING PAPER DATED SEPTEMBER 5, 2008

Commissioner of Patents and Trademarks  
Washington, DC 20231

Dear Sir:

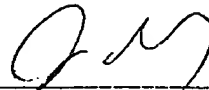
The paper dated September 5, 2008 noting the Reply Brief filed June 24, 2008 fails to conform to the MPEP. Specifically, the paper contains comments beyond the mere withdrawal of rejections approved by MPEP §1208(II); instead, it embarks on a mini-essay that is nowhere authorized in the MPEP unless by Supplemental Examiner's Answer - but this the paper cannot be, since it lacks the approval of the Technology Center Director as would otherwise be required under MPEP §1207.05. Accordingly, the paper is entitled to no weight or consideration, being beyond the scope permitted by Patent Office rules.

1156-017.RP1

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Serial No.: 09/939,239  
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Page 2

PATENT  
Filed: August 24, 2001

Respectfully submitted,



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JLR:jg

1156-017.RP1